RESPONSE A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JOHN T. FORBIS et al.

TITLE: FENCE SYSTEM WITH

VARIABLE POSITION RAIL

SERIAL NO.: 10/814,432

FILED: March 30, 2004

EXAMINER: J. Cottingham

ART UNIT: 3679

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Responsive to the election or restriction requirement set forth in the Office Action, mailed September 29, 2004, applicants request entry of this Response A and reconsideration of the above-captioned application.

A shortened statutory period for response of one (1) month was set for response to the Office Action. Accordingly, a Petition for a two-month extension of time and a PTO Form 2038 (credit card

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 29 day of December, 2004.

Karl R. Cannon Attorney Registration No. 36,468

Attorney for Applicant